



National Park Service Concession Environmental Management Program



**Nomination for the Department of the Interior
2004 Environmental Achievement Award**

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ABSTRACT

This nomination for the DOI Environmental Achievement Award provides information on the accomplishments of the National Park Service (NPS) Concession Environmental Management Program (CoEMP). The nomination demonstrates that:

- The CoEMP is leading the charge in greening contracted relationships within the Federal government;
- The NPS, through the CoEMP, has worked cooperatively with businesses operating in parks (i.e., concessioners) toward the mutually beneficial goal of improved environmental management;
- Even with limited resources and staffing, the CoEMP has proven that education and awareness can result in improved management systems to protect the environment;
- The CoEMP has leveraged existing resources and forged collaborative relationships to meet goals; and
- The CoEMP has created a culture among both concessioners and park concession staff that recognizes the benefits of proactive environmental management and has begun to integrate this concept into new business models.

Rarely has a program accomplished so much in such little time with so few resources. In a few short years, the CoEMP has increased awareness and accountability in regards to concessioner environmental management - a sector of the NPS with a clear need for this type of support. Without the CoEMP, it is unlikely that NPS concessioners and the park staff working with them would be as educated on or as proactive with environmental management. While there is still much work to be done, the CoEMP has clearly laid the groundwork for a successful partnership to improve and protect the environment of some of our nation's most treasured resources.



View of Yosemite National Park in California during the winter.

INTRODUCTION

The National Park Service mission is to “. . . conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” As one of the means by which the public can be provided the facilities and services needed to enjoy national parks, Congress established a Concession



Concessioner gift shop at the top of the mountain in Rocky Mountain National Park, Colorado.

Program in the National Park Service through the passage of the 1965 Concession Policy Act. On November 13, 1998, the Concession Policy Act was reformed with the passage of the National Parks Omnibus Management Act of 1998, Public Law 105-391, Title IV. This Law and supporting regulations state that the National Park Service will provide, through concession contracts, commercial visitor services within the parks that are necessary and appropriate for visitor use and enjoyment. The NPS currently oversees approximately 600 concession contracts that gross over \$800 million annually and provide services such as food, lodging, retail, marina, and guide services, among many others. These concessioners, under management by the NPS Concession Program, play a vital role in ensuring operations are consistent with the protection of park resources and fulfilling the NPS mission by allowing the public to further enjoy national park resources.

In the mid-90's, an increasing awareness of environmental management responsibilities and the corresponding need to minimize potential environmental impacts associated with facilities and operations in parks prompted NPS management to convene a Task Force in 1994 to study concessioners' environmental impacts. This Task Force concluded that the NPS and concessioners must commit funding, staffing, and other resources to address pollution prevention, environmental protection, and compliance related to concession contracts. Out of these conclusions and recommendations, the NPS Concession Environmental Management Program (CoEMP) was established to educate both concessioners and parks on concession environmental management. The need for the CoEMP was clear: concessioners operate in or near our country's most treasured natural and cultural resources - the NPS would be neglecting its founding mission if it did not proactively try to minimize concessioner environmental impacts on park resources.

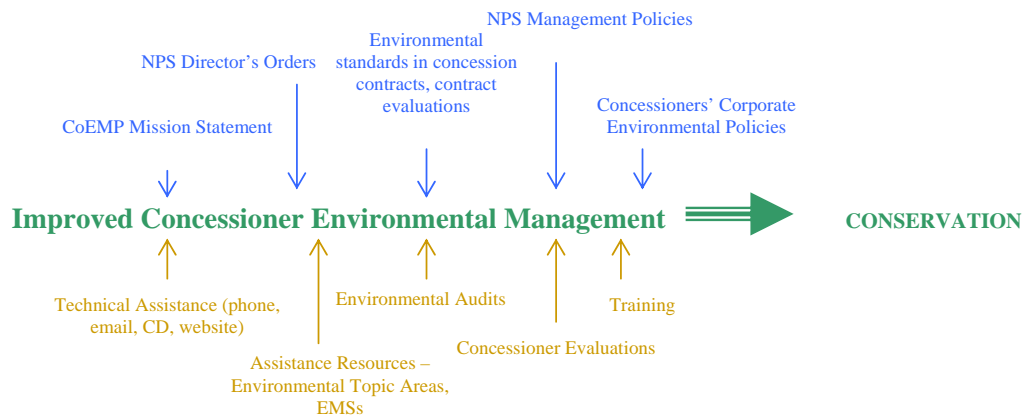
With few substantive NPS environmental policies or tools available to concessioners and park concession specialists prior to its inception in 1999, the CoEMP has made significant progress with limited resources. The CoEMP is effecting change both “top down” through NPS regulations, policies, and concession contracts, and “bottom up” through outreach, on-site assistance, stakeholder input, and technical support. Knowing concessioners' and parks' fundamental interest in supporting the NPS mission, the CoEMP has focused its efforts on educating these audiences on environmental regulatory compliance, best management practices (BMPs), and environmental management systems (EMSs) through the DOI's four C's of communication, consultation, and cooperation, all in the name of conservation.

I. POLICY

Recognizing the need for clear policies to effect lasting change, the CoEMP has assisted in developing policies at varying levels within the NPS. See Attachment 4 for policies.

- NPS Management Policies provide broad, overarching commitment and direction for the NPS. During the 2001 revision, the CoEMP helped craft new Management Policies emphasizing NPS commitment to sound concessioner environmental practices. Management Policy Chapter 10 now reads: "Concession operations will be consistent with the protection of park resources and values and demonstrate sound environmental management and stewardship."
- NPS Director's Orders (DOs) provide more specific direction for NPS. The CoEMP provided input on DO 13A (EMSs – www.nps.gov/policy/DOrders/DO-13A.html) and DO 48A (Concession Management – in draft). DO 13A addresses concessioner environmental management as a key component of park management, and requires concessioners assigned facilities in national parks to develop EMSs. DO 48A provides additional detail on concessioner environmental management and roles and responsibilities.
- The CoEMP's established mission, as part of the Concession Program, is "[t]o provide assistance and guidance that advances the environmental performance of businesses offering visitor services in national parks."

The CoEMP's leadership in setting strong NPS environmental policies for concession management has resulted in approximately 25 concessioners adopting their own corporate environmental policies. Environmental management programs guided by these corporate policies were then implemented by concessioners at various parks.



The CoEMP's top down and bottom up approach to improving concessioner environmental management, and ultimately, the conservation of national parks.

II. PLANNING

Internal Planning

Recognizing that success requires vision and planning, the CoEMP established four overarching goals for itself:

1. Achieve and maintain environmental compliance as a minimum performance level for concessioners in national parks;
2. Promote environmental management and advance sound environmental strategies for all concessioners in national parks;
3. Increase NPS staff and concessioners' awareness and knowledge of environmental topics and programs; and.
4. Lead by example and promulgate recognition of commercial visitor services that demonstrate environmental excellence.

The CoEMP uses these goals to establish annual strategies that help meet NPS Government Performance and Results Act (GPRA) goals specific to environmental leadership (GPRA goals IVa9A and IVa9B). Each year the CoEMP prepares an annual work plan that includes tasks and schedules directed toward meeting the GPRA goals and advancing overall environmental management of concession contracts.

Contracts

To emphasize the high regard in which the NPS holds environmental management, the CoEMP recognized that it had to establish formal environmental management standards and criteria for concessioners. To meet this need, the CoEMP worked to integrate environmental management into the contract development and contract evaluation/selection process.

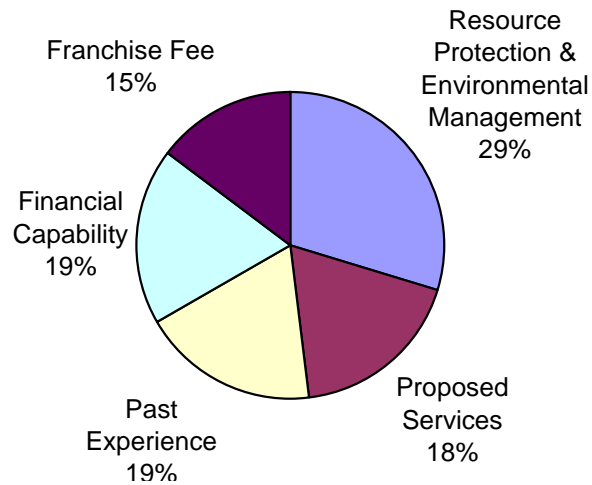


Old Faithful Inn, one of the larger lodging operations in the national park system, in Yellowstone National Park, Wyoming.

- The CoEMP established concessioner environmental requirements in the 2000 NPS Standard Concession Contract (65 FR 26052-26086), which serves as the basis for all new concession contracts issued by the NPS. Requirements include: compliance, BMP implementation, and (for certain concessioners) implementation of a formal EMS. See relevant portions in Attachment 4.
- When developing its guidance for EMSs, the CoEMP reviewed available EMS models (e.g., ISO 14001) and customized its guidelines to account for concessioners' unique business needs. These guidelines are specific to private companies operating on Federal property and are applicable to all concessioners, who range from small businesses to national corporations.
- The CoEMP assessed the environmental aspects and impacts of several concessioner operations (e.g., 300-room hotels, three-person fishing guide companies) and drafted sample contracts and operating and maintenance plans for park reference and use when developing new contracts.

- The CoEMP recognized the need to ensure environmental management was incorporated into the contract evaluation and selection process. By helping develop NPS regulations for this process (36 CFR Part 51), the CoEMP assisted in crafting contract selection criteria that emphasized resource protection and environmental management, which now comprise approximately 29% of the point total for awarding concession contracts (see Figure 1).

Figure 1: Selection Factors for New Concession Contracts



Since development of Standard Concession Contract language and issuance of 36 CFR 51, all 175 contracts issued thus far have considered environmental management as a critical selection factor: 41 included EMS requirements and all encouraged BMP implementation. Including environmental management as a key criterion in the contract evaluation and selection process has fostered innovation and leadership within the concession community since concessioners now recognize that improved environmental management and resource protection is expected when doing business in national parks. From using llamas to carry out recyclables from remote lodges in Great Smoky Mountain National Park to testing clean fuels on ferry boats in San Francisco Bay in the Golden Gate National Recreation Area, concessioner ideas and programs both large and small are showcasing sustainable tourism.



Concessioner ferry in Golden Gate National Recreation Area, California. Clean fuels are being tested by this concessioner.

III. IMPLEMENTATION

The CoEMP's mission, goals, strategies, and tasks align closely with the DOI's 4C's of Communication, Consultation, and Cooperation. You will see how the CoEMP's efforts in these areas are enhancing concessioners' environmental management, and thus are working in the spirit of Conservation.

While the contracting process is the framework for presenting NPS environmental management expectations to concessioners, the CoEMP wanted to ensure this expectation was supported by a robust network of communications and collaboration. Chris Lane from Xanterra Parks & Resorts (concessioner) expressed appreciation of the CoEMP's successful communications with concessioners by commenting "[w]hether it's through the CoEMP newsletter, website, CD, or simply a quick phone call, I can always find answers to compliance questions as well BMP issues."

Communication

Broad Outreach

- The CoEMP developed the *GreenLine* Newsletter (Attachment 2), *GreenLine* CD, and CoEMP website (www.concessions.nps.gov) as forums where the CoEMP could communicate with concessioners and share information about environmental regulations, BMPs, and concessioner accomplishments. To date, the newsletter has highlighted 28 concessioners; its 2003 circulation was 1700 readers.

Guidance Documents

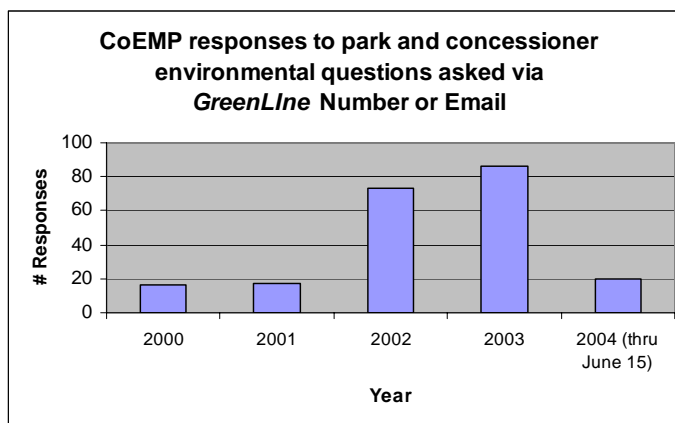
- The CoEMP has assembled a library of more than 320 resources and prepared nine environmental guidance documents on topics ranging from hazardous waste (Attachment 3) to respiratory protection. Rather than provide generic overviews, these documents provide a plain-language discussion of how environmental topics apply specifically to businesses (i.e., concessioners) operating in national parks. For example: how does a concessioner address spill prevention or emergency planning and reporting requirements when it is a commercial entity operating on and in Federal lands and facilities? Or: What are concessioner responsibilities under the NPS Integrated Solid Waste or Integrated Pest management Programs? These guidance documents are available to all concessioners through the *GreenLine* CD and the CoEMP website.

CoEMP Environmental Guidance Documents Topics Covered

- Emergency action plan (29 CFR 1910.38)
- Emergency response program (29 CFR 1910.120)
- Hazard communication (29 CFR 1910.1200) – the written program
- Hazard communication (29 CFR 1910.1200) – training
- Hazardous waste (40 CFR 260 et seq)
- Integrated pest management (2001 NPS Management Policies)
- Respiratory protection program (29 CFR 1910.134)
- Spill prevention control and countermeasures (40 CFR 112)
- Universal waste (40 CFR 273)

Personalized Assistance

- If concessioners or parks have questions about environmental issues, they can contact the CoEMP through the *GreenLine* Number (303-987-6913) or email (NPS_GreenLine@nps.gov). To date, the CoEMP has responded to 207 inquiries; the number of inquiries responded to annually has grown over 500% since 2000.



Cooperation

EPA

- The CoEMP signed a Memorandum of Understanding (MOU) (Attachment 4) with the Environmental Protection Agency (EPA) in 2003 to assist concessioners (CoEMP's audience) and other businesses (EPA's audience) in identifying business-specific environmental BMPs. "Economic prosperity and environmental management go hand in hand," stated EPA Administrator Whitman in regards to this partnership. "The results of this MOU should benefit not only the 600 NPS concessioners, but also many of the 22.4 million small businesses in the U.S.,... these issues are not unique to the National Park Service and [this type of cooperation] could be replicated by a number of other Federal agencies. We would like this partnership and our experience to serve as a model," said NPS Director Fran Maniella. Also under this MOU, the CoEMP is currently working with EPA's ENERGY STAR program to promote and provide assistance resources about energy performance to small business concessioners.

Other Government Agencies

- Bureaus such as the US Fish and Wildlife Service (FWS) and Bureau of Reclamation are looking to the CoEMP for advice and assistance in managing concessioner environmental impacts. When the FWS Ding Darling National Wildlife Refuge (NWR) was preparing a new concession contract for tram services and canoeing, it looked to local NPS parks for guidance on how these services were managed. As a result, Ding Darling NWR now has an electric rather than a gasoline tram service for its wildlife loop road. With five years of experience, the CoEMP remains eager to share its resources and lessons learned with other government agencies.



NPS Director Fran Maniella (left) and former US Environmental Protection Agency Administrator Christine Whitman (right) shaking hands after signing the Memorandum of Agreement in 2003.

EMS

- The CoEMP reviews concessioner EMSs and provides constructive comments (Attachment 4) for improvement. Suggestions are oriented around ways to keep EMSs simple yet effective, while sharing what has worked at other concession operations or parks. To date, the CoEMP has reviewed 20 concessioner EMSs. The CoEMP is also working with parks in Servicewide efforts to implement park EMSs since it is expected that parks and concessioners will develop EMSs that are supportive of each other.

Contracts

- The CoEMP works with park staff, many of whom may not be fully conversant or aware of environmental regulations and issues applicable to concessioners, to review contract documents to ensure that relevant environmental issues are clearly and appropriately incorporated. (To date, the CoEMP has reviewed 18 contract documents.) Over time, The CoEMP has seen a more consistent inclusion of relevant environmental standards in contract documents, even when the CoEMP has not been directly involved in their review. This demonstrates the success with which the CoEMP has educated park staff on environmental regulations and issues applicable to concessioners. See excerpts from a sample Operating and Maintenance Plans in Attachment 4.
- Concession contracts are awarded through a public solicitation process. This process begins with the issuance of a prospectus. The prospectus invites the public to submit proposals for the new contract and describes the terms and conditions of the concession contract. Once proposals are received for the new concession contract, the NPS convenes a contract evaluation panel to evaluate the proposals, applying the selection factors that are set forth in 36 CFR 51. As stated above, approximately 29% of the point total for awarding concession contracts relate to resource protection and environmental management. The NPS Director then awards the contract to the responsive proposal with the highest cumulative point score. The CoEMP has participated on 30 of these contract evaluation panels as environmental technical experts or advisors and assists in evaluating the proposals in the areas of resource protection and environmental management. As a result, the CoEMP is playing an important role in helping NPS concession staff understand the elements and attributes of environmental management and apply this understanding when evaluating proposals for new concession contracts.

Training

- Reconciling the need for environmental training with limited resources, the CoEMP seeks opportunities to utilize existing training venues. Consequently an environmental management module was incorporated into the Concession Program's staff professionalization training (developed in partnership with the Northern Arizona University), which covers all aspects of concession management.
- A resource protection and environmental management module was incorporated into the NPS Concession Contract training developed in 2002. This training is a requirement for all employees who are in the Concession Program. Since NPS concession employees are responsible for assuring the concession services provided do not conflict with the protection of natural and cultural resources, incorporating an environmental module into the contract planning emphasizes these responsibilities and raises overall accountability for ensuring resource protection is paramount..

- The CoEMP is currently working with the Department of Energy's Federal Energy Management Program (FEMP) to develop a



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Energy Efficiency and Renewable Energy

specialized training for NPS concession staff. This training will include modules on energy and water conservation, compliance, solid waste management, hazard communication and other applicable topics while providing NPS concession staff with an understanding of how to develop contracts that emphasize environmental management. Additionally, NPS concession staff will be instructed on the skills and resources needed to review a concessioner's EMS, and gain a general awareness of environmental issues and trends that are most prevalent among NPS concessioners.

Resources

- With only one NPS employee dedicated full-time to the CoEMP, the program has found innovative ways – through cooperation – to achieve goals with limited resources. The CoEMP has partnered with the US Public Health Service, University of Denver, NPS Volunteer-in-Parks program, and a team of environmental consultants to achieve goals while operating on a non-appropriated annual average budget of \$600,000.

Consultation

Environmental Audits

- Under DOI policy, the NPS is required to conduct environmental audits of all facilities, including concessioner facilities. Because concessioners are operating under a business model and have different needs (e.g., need to be financially feasible and have an opportunity to make a profit) and requirements (e.g., are not subject to most Executive Orders) than parks, the CoEMP established a concessioner-specific environmental auditing program as part of NPS-wide audit efforts. This Concession Environmental Audit System (CEAS) is one of the primary venues for consultation directly with concessioners on environmental issues. One-on-one compliance assistance consultation and education is provided during the site visit and reporting process. Typically, an audit is the first time concessioners have a chance to talk to environmental professionals about their operations, strategies, or practices that could be modified to improve operations both financially and environmentally.



Audit team member asking questions about solid waste management at Glen Canyon National Recreation Area, Arizona and Utah.

Audit protocols address compliance and BMP requirements specific to concessioners. Prior to CEAS, most concessioners focused their efforts primarily on ensuring compliance. However, concessioners now have expanded their efforts to encompass BMPs and EMSs to proactively address environmental impacts and activities.

The information gathered during audits is used in a variety of ways. Audits are scheduled so that parks can use audit information when developing new contracts. For example, an



Audit team member assessing hazardous materials storage management issues.

environmental audit might identify that a fuel storage tank assigned to a concessioner does not meet the requirements of current fuel storage regulations. Because purchasing a new fuel storage tank is a significant capital investment, the park could include this in the development of the next concession contract and consider this when determining the contract's franchise fee (i.e., the percentage of revenue the concessioner must pay to the park).

Information from CEAS is also used by the CoEMP to develop a variety of CoEMP assistance materials. It is the "hands-on" consultation through auditing that provides the CoEMP an appreciation and understanding of environmental issues that are

specific to concessioners and allows the program to develop guidance documents that are tailored to this audience.

To date, CEAS has conducted 91 audits, resulting in 1975 audit findings and 116 positive observations. Most CEAS participants have responded positively to the program; Rick Wyatt, a park concession specialist at Blue Ridge National Parkway, commented that the "[audit] was a great learning opportunity and every bit of information uncovered will better our operations." Bryan Mast, a former facility manager for the concessioner at Crater Lake National Park commented "They were green but they did not have horns. They understood our operations and had good suggestions."

Evaluation

- The Concession Program routinely evaluates concessioners' overall operations, but thus far has not included comprehensive environmental criteria and standards. The CoEMP has drafted concessioner-specific environmental criteria for routine operational evaluations that are being tested for lodging, food, marina, and retail services – services that are widespread in the NPS. Similar standards will follow for other services and will provide a mechanism for ongoing oversight of concessioners' environmental management programs. Because the CoEMP cannot always be available to personally consult with all parks regarding all concessioner operations, these evaluation criteria will be a tool that parks can use in critiquing concessioner environmental management performance in the absence of CoEMP.

Park / Concessioner Consultation

- With the multitude of operational issues facing park staff and concessioners on a regular basis, environmental issues oftentimes are overshadowed by park crises or



Retail operation in Badlands National Park, South Dakota. This concessioner sold t-shirts made from organic cotton.

needs. However, the CoEMP is bringing the importance of environmental issues to the fore through increased dialogue and routine review of concessioner operations and activities. The concessioner environmental audit process and the EMS, both supported by CoEMP, foster these communications. For example, under the audit process, parks are reviewing concessioner environmental activities at least annually to determine whether audit findings are closed. In addition, as required by the Standard Concession Contract, concessioner management is required to review their EMS annually and submit it to the park for review and approval. Through this process, concessioner environmental goals, objectives, roles, responsibilities, procedures, reporting and communication methods can become more clearly defined and refined between the concessioner and the park.

Third-Party Consultation

- As their environmental awareness has grown, many concessioners have consulted with third-party organizations to enhance environmental management. Recognizing that it cannot be everywhere and that it should leverage assistance sources that already exist, the CoEMP identifies and fosters such relationships to complement its own activities with concessioners and park concession staff. Actions taken to foster relationships between concessioners and EPA and DOE have already been mentioned. Also, to date, at least eight concessioners' EMSs have achieved International Organization for Standardization (ISO) certification by meeting the ISO 14001 criteria for environmental management systems). Thirteen concessioners have won environmental awards from the Department of the Interior or NPS. Concessioners have become EPA Performance Track, Energy Star and WasteWise partners and received other third-party certifications by organizations such as Green Seal. -



IV. LOOKING FORWARD

What makes the CoEMP unique? There are few programs in the Federal government where so much has happened in so little time with such limited resources. The CoEMP effected drastic environmental improvement within a multi-million dollar commercial sector that has the potential to significantly impact some of our most cherished natural resources. In just a few years, the CoEMP has standardized environmental requirements in contracts, educated NPS staff on how to integrate environmental language into contract documents, developed a concessioner audit program, encouraged concessioner innovation, and improved concessioner environmental performance. As a result of CoEMP and the related increase in concessioners' interest in environmental management, at least eight concessioners have achieved ISO certification and 13 concessioners have won environmental awards from the Department of the Interior or NPS. Concessioners have become EPA Performance Track, Energy Star and WasteWise partners and received other third-party certifications by organizations such as Green Seal.

However, the CoEMP recognizes that much remains to be accomplished. Some specific future CoEMP activities for meeting CoEMP goals (as stated above under "Internal Planning") are listed below.

- To further help concessioners achieve and maintain environmental compliance as a minimum performance level (Goal 1), CoEMP will continue to integrate environmental language into contract documents and update its assistance resources on various environmental topics.
- To further promote environmental management and advance environmental strategies for concessioners (Goal 2), CoEMP will conduct approximately 36 audits in 2004 and take part in developing evaluation standards parks can use to assess concessioners' environmental performance on a routine basis.
- To further educate NPS staff and concessioners on environmental topics (Goal 3), CoEMP will continue to work with FEMP to provide a comprehensive environmental training to park concession staff.
- To further recognize concessioners that demonstrate environmental excellence (Goal 4), CoEMP will continue to identify and publicize award programs for concessioners.



The *GreenLine* Newsletter – one of the CoEMP's assistance resources.

In 2004 and beyond, CoEMP looks forward to continuing its partnership with concessioners and parks in an effort to raise the bar of environmental performance for the tourism industry and support concessioners in showcasing innovative strategies that demonstrate environmental stewardship and leadership. Though cooperation, consultation, and communication, environmental management (and thus, conservation) is becoming the new business model for NPS concessioners. Given that these commercial businesses interact with over 189 million park visitors each year in over 33 percent of national parks, this new business model championed by CoEMP will indeed continue to have a vital and positive impact on environmental management in our national parks.



Protecting park resources – including the natural resources at Mount Rainier National Park, Washington – is what the CoEMP will continue to achieve.